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**BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR**

SINGLE BENCH

**WRIT PETITION NO. 1455 /2006**

**PETITIONER**

P.R. No. 1509/06
Presented on 22/3/06
dated S.K. Sahu

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Chhattisgarh Shaskiya Laghu Vetan Karmchari Sangh, a registered Union of Class IV Employees, having registration No. 6466/2001, having office at Jagdalpur, represented through – the Secretary, Shri Mohd. Khalik, aged about 59 years, son of Late Mohd. Siddique, resident of Mominpura, Ambikapur, Distt. Surguja (C.G.)

**VERSUS**

**RESPONDENTS**

1. State of Chhattisgarh, through – Secretary, Public Works Department, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. Engineer – in – Chief, Public Works Department, Raipur (C.G.)
3. Executive Engineer, Public Works Department, Ambikapur Distt. Surguja (C.G.)
4. Executive Engineer, Public Works Department, Kanker, Distt. Kanker (C.G.)

OATH COMMISSIONER APARNA Bilaspur Chhattisgarh CG-20/73/06 22/03/06

**WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI AND / OR ANY OTHER WRIT OF LIKE NATURE**

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**HIGH COURT OF CHHATTISGARH : BILASPUR**

**SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J**

**WRIT PETITION NO. 1455 OF 2006**

**Petitioner** — **Chhattisgarh Shaskiya Laghu Vetan Karmchari Sangh**

**Versus**

**Respondents** — **State of Chhattisgarh & Others**

**Present :-** Shri Kishore Bhaduri, counsel for the petitioner.
Shri Sushil Dubey, Govt. Advocate for the State.

**ORDER**
**(Passed on 28th March, 2006)**

The members of the petitioner Union were employed as Gangmen on various dates in Public Works Department of the State Government on daily wages basis. According to learned counsel for the petitioner, the members of the petitioner's Union have completed 25 years of service as on 31-12-1988, but they have not been regularized till date. Learned counsel placed reliance on certain circulars issued by the State of Madhya Pradesh whereby it was directed that the employees who have been employed prior to 31-12-1988 would be considered for regularization subject to availability of vacancies. An identical circular was issued thereafter to consider the cases upto 2002. Subsequently by circular dated 1-12-1997 the Gangmen who have completed 25 years of service before 31-12-1990 were also stated to be regularized on contingency basis. The State of Chhattisgarh vide circular dated 9-3-2002 (Annexure-P/5) has prescribed for declaration of permanent Gangmen. At this stage, learned counsel appearing for the petitioner, prays that the petitioner Union be granted permission to make a representation before the concerned authority for considering the cases of the members of the petitioner's union for regularization on contingency basis.

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Learned counsel appearing for the respondents has no objection.

Having considered the facts and circumstances of the case and material on record, the petitioner's union is granted permission to make a representation within a period of three weeks. In case, the representation is made, the concerned authorities are directed to consider and decide the same in accordance with law within a period of eight weeks from the date of receipt of representation.

In view of the foregoing, the petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

GOWRI